



GEORGIA HOUSE OF REPRESENTATIVES  
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# COMMITTEE DAY REPORT

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Tuesday, March 7, 2006

## *Agriculture & Consumer Affairs*

### **HB1393 Biodiesel fuel; define**

- This bill would define 'biodiesel fuel' as meaning a fuel composed of mono-alkyl esters of long chain fatty acids derived from wood and wood residues, crops, residues, stover, agricultural wastes, or animal fats and meeting the requirements of American Society of Testing and Materials standard D 6751.
- **Authored By:** Rep. Cecily Hill
- **Committee Action:** Do Pass by Committee Substitute

### **SB0441 Milk; milk products; standards and requirements; change certain provisions**

- This legislation authorizes the state to adopt the standards and requirements of the May 2005 Amended Version of the Grade A Pasteurized Milk Ordinance Recommendations of the United States Public Health Services. The state currently uses the May 2001 standards and requirements.
- **Authored By:** Sen. John Bulloch
- **Committee Action:**

## *Children & Youth*

### **SB0442 Child Abuse; reporting; change certain provisions**

- Concerning child abuse, SB 442 would not allow a person in charge of a hospital, school, agency or facility to change the information provided by a reporter of child abuse. SB 442 also requires the child abuse to be reported within 24 hours from when the abuse was believed to have taken place. Finally, SB 442 would allow photographs of the abuse to reveal the identity of the subject.
- **Authored By:** Sen. Dan Moody
- **Committee Action:** Do Pass

## *Education*

### **HB1098 Local school system; summer food service program; establish**

- This bill provides for the establishment of at least one summer food service program in each local system for at least 40 days during the summer months within five miles of an elementary school where 50 percent or more children are eligible for free or reduced price school meals. It also provides standards and guidelines for participation.
- **Authored By:** Rep. Kathy Ashe
- **Committee Action:** Do Pass by Committee Substitute

### **HB1229 High school; adjustment of certain grades; provide**

- This bill provides for the uniform reporting for high school grades. It provides that for advanced

placement, honors, or international baccalaureate classes, 0.5 shall be added to the passing grade received in these classes.

- **Authored By:** Rep. Jeff Brown

- **Committee Action:** Do Pass by Committee Substitute

### **HB1239 Education; annual instruction in criminal law; require**

- This bill provides for annual instruction in elementary and secondary grades that is age appropriate about the criminal law of Georgia as it relates to school-aged children. The annual instruction shall include an emphasis on sexual offenses and on crimes for which a minor can be charged with a felony and tried as an adult. It provides for this instruction to be delivered in a classroom, as a portion of an appropriate course, with an assessment which shall count towards the students' grades. It further provides for a manual for instruction, rules and regulations, and a time frame for implementation.

- **Authored By:** Rep. Ed Setzler

- **Committee Action:** Do Pass by Committee Substitute

### **HB1316 High School Athletics Overview Committee; create**

- This bill provides for the creation of the High School Athletics Overview Committee. It provides the compensation for members, power to compel attendance of witnesses and production of documents, and the dates for reports of the committee to be submitted. It further provides for the duties of the committee and the expenditure of funds.

- **Authored By:** Rep. Charles Martin

- **Committee Action:** Do Pass by Committee Substitute

### **HB1483 Quality Basic Education Act; amend provisions**

- This bill requires two public hearings prior to decreasing any local salary supplement when there has been an increase in the state minimum salary schedule. These meetings shall be after school hours.

- **Authored By:** Rep. Don Parsons

- **Committee Action:** Do Pass by Committee Substitute

### **HB1485 Dept. of Juvenile Justice; Dept. of Human Resources; children in custody; change provisions**

- This bill changes certain provisions relating to eligibility enrollment for children in the custody of the Department of Juvenile Justice or the Department of Human Resources.

- **Authored By:** Rep. Brooks Coleman

- **Committee Action:** Do Pass

### **HR1565 Investing in Educational Excellence; include art education; urge**

- The resolution urges the Governor's Education Task Force to include art education in its Investing in Educational Excellence recommendations.

- **Authored By:** Rep. Brooks Coleman

- **Committee Action:** Do Pass

### **SB0079 Education; local boards; additional elective courses; provide state funding**

- This bill provides for the offering of state funded high school courses in the History and Literature of the Old Testament Era and the History and Literature of the New Testament Era and for the adoption of the curricula for such courses by the State Board of Education. It also, provides for the topics of instruction, reading materials, and methods of teaching in such courses. In addition, it provides for the employment and assignment of teachers of such courses and the granting of academic credit for the successful completion of such courses. Finally, it provides for the monitoring of the content and teaching of such courses.

- **Authored By:** Rep. Tommie Williams

- **Committee Action:** Do Pass by Committee Substitute

**SB0474     Student Health and Fitness Act; establish health advisory councils; require local boards of education to adopt school health program**

- This bill provides for the establishment of school health advisory councils to serve as advisory bodies to local boards of education on health, physical education, and nutrition policy. It also provides for certain requirements for physical education instruction for students kindergarten and grades one through eight. In addition, it encourages a wide range of supplemental health, physical activity, and nutrition programs that may be provided on school property beyond the confines of the traditional school day. It further requires local boards of education to adopt and implement a coordinated school health program. Finally, it provides for a state office to promote student health and physical fitness and for an effective date.

- **Authored By:** Rep. Brooks Coleman

- **Committee Action:** Do Pass by Committee Substitute

**Game, Fish & Parks**

**HB1490     State park lakes; watercraft; change provisions**

- This bill is a consumer protection bill targeted at the problem of stolen boats/vessels in Georgia. According to FBI information, Georgia is #1 in the nation with respect to stolen vessels. Georgia has been known as the state to bring boats for registration prior to obtaining titles in other states. The way it happens is this: a stolen boat has the Hull Identification Number removed from the stolen vessel and the thieves then apply to GaDNR to get it registered. Until just a few years ago, it was possible to obtain registration in this state without a hull ID number. Once registration was obtained in Georgia, then thieves could take the boat to other states and use the Georgia registration information to obtain a title in that state. To correct this, additional clarifying language is added to the code in a fashion similar to vehicle identification numbers (VIN) as required for automobiles and other vehicles. The bill provides for penalties for violation of the section on removal or alteration of hull identification numbers. In addition, the bill adjusts code relating to certain vessels that are allowed on certain lakes in Georgia to open up some State Parks and Recreation-operated lakes to boating at certain times of the year. Finally, there is language that restricts operation of certain vessels on certain lakes.

- **Authored By:** Rep. Jon Burns

- **Committee Action:** Do Pass by Committee Substitute

**HB1567     Red drum; official state salt-water fish; designate**

- This bill would designate the Red Drum as the official Georgia salt-water fish. Also known as the redfish, the spot tail bass or channel bass, this saltwater fish is highly prized by Georgia's citizens as a worthy adversary on the end of a fishing line and an epicurean delight on the dinner table. Prior to the 1980's, the red drum population was in jeopardy from over harvest of immature fish and also adults. In 1986, the General Assembly passed the first harvest restrictions and the species has been brought back from jeopardy since then. Designation of the Red Drum as the official state saltwater fish would complement the activity of the Peach State Reds Initiative, which intends to investigate the feasibility of using hatchery reared red drum as a management tool while providing additional much needed science about the fish.

- **Authored By:** Rep. Bob Lane

- **Committee Action:** Do Pass

**Government Affairs**

**HB0547     Impact fees; single family construction; provide maximum**

- This bill provides for a maximum amount of impact fees which may be imposed with respect to the construction of a new single family residence. The amount is to be no more than \$10,000.00 or 2% of the value, whichever is less.

- **Authored By:** Rep. John Lunsford

- **Committee Action:** Do Pass by Committee Substitute

**HB1230 Georgia Development Impact Fee Act; change certain provisions**

- This bill changes certain provisions in the "Georgia Development Impact Fee Act." Further, HB 1230 increases community participation in development impact fee advisory committees and provides for the expenditure of impact fees.
- **Authored By:** Rep. Ed Lindsay
- **Committee Action:** Do Pass by Committee Substitute

**HB1330 Felons; reward for detection or apprehension; remove certain limitations**

- This bill removes certain limitations with respect to the offering of rewards for the detection or apprehension of perpetrators of felonies by the governing authority of a county or municipality.
- **Authored By:** Rep. John Lunsford
- **Committee Action:** Do Pass

**HB1472 Mental illness; privatization of one or more state facilities; require**

- HB 1472 requires the privatization of one or more state facilities for the treatment of mental illness.
- **Authored By:** Rep. Mark Burkhalter
- **Committee Action:** Do Pass by Committee Substitute

**Insurance**

**HB1371 The Pharmacy Audit Bill of Rights; enact**

- This bill enacts "The Pharmacy Audit Bill of Rights," provides for a short title, sets out a list of rights of pharmacies undergoing audits, provides for an appeal process, and provides for applicability. HB 1371 provides that any audit must be conducted by a pharmacist in this state and that the entity conducting the audit must give the pharmacy at least one week's notice prior to the initial audit. Further, this bill allows a pharmacy at least ten days to produce documentation to address any discrepancy found during an audit.
- **Authored By:** Rep. David Graves
- **Committee Action:** Do Pass by Committee Substitute

**HB1456 Accident and sickness policy; age of dependent; provisions**

- This bill provides availability of an accident and sickness policy upon termination of dependent coverage based on the age of the dependent. Further, this bill changes requirements as to individual accident and sickness policies to insure certain dependent children of the insured up to and including age 25. HB 1456 also requires that certain group accident and sickness insurance policies insure certain dependent children of the insured up to and including age 25.
- **Authored By:** Rep. John Meadows
- **Committee Action:** Do Pass by Committee Substitute

**HB1484 Personal insurance; insurable interest; clarify circumstances**

- Clarifies the circumstances under which an insurable interest exists with respect to personal insurance.
- **Authored By:** Rep. Steve Tumlin
- **Committee Action:** Do Pass

**Intra-Governmental Coordination**

**SB0445 Civil War Commission; editorial changes; change administrative assignment; codify certain provisions**

- Senate Bill 445 changes the administrative assignment of the commission and the facilitating state department from the Department of Natural Resources to the Department of Economic Development.
- **Authored By:** Sen. Jeff Mullis
- **Committee Action:** Do Pass

**SB0472 Public Officers/Employees; provide for meritorious award program; definitions; establishment/implementation**

- This legislation authorizes the State Personnel Board to formulate, establish, and maintain employees' Incentive Award Programs and Incentive Compensation Plans to encourage state employees to improve the operation and perception of state government and its instrumentalities. This legislation repeals Incentive Award Programs and replaces them with Meritorious Award Programs. Also, the Board is authorized to establish Goal Based Plans.
- **Authored By:** Sen. Chip Rogers
- **Committee Action:** Do Pass

## **Judiciary (Civil)**

**HB0265 Intangible tax; property in more than one county; prorated payment**

- Prorate the taxes owed among all applicable counties; amount paid in each county would be appropriate to what's required; record that taxes owed to each county are paid in each county
- **Authored By:** Rep. David Ralston
- **Committee Action:** Do Pass by Committee Substitute

**HB0874 Public disclosure of records; certain exception; clarify**

- Relates to exceptions and exemptions to requirements for disclosure of public records, so as to clarify an exception; to provide that public disclosure shall not be required for records that are specifically required by federal statute or regulation to be kept confidential; to repeal conflicting laws; and for other purposes.
- **Authored By:** Rep. Jill Chambers
- **Committee Action:** Do Pass

**HB1071 Inspection of public records; jurisdiction; amend**

- Provides for reasonable attorney's fees and litigation cost reasonably incurred for parties who bring suit when public records are unjustly denied.
- **Authored By:** Rep. Austin Scott
- **Committee Action:** Do Pass

**HB1073 Houston Judicial Circuit; number of judges; provisions**

- Provides for a third judge in the superior court of the Houston Judicial Circuit which will be appointed by the Governor and successors will be elected. Also provides for an additional court reporter and other staff for the new judge.
- **Authored By:** Rep. Larry O'Neal
- **Committee Action:** Do Pass by Committee Substitute

**HB1273 Security deposits; escrow accounts; change certain provisions**

- Replaces "his" with "such landlord's" when referring to a landlord's agent. Further strikes the escrow account number from information that would be provided to a tenant.
- **Authored By:** Rep. Larry O'Neal
- **Committee Action:** Do Pass

**HB1282 Deeds; recording; provisions**

- Amends 44-2-30 so as to create a form for notice of settlement with regards to deeds as well as provide for an index and fees for same.

- **Authored By:** Rep. David Ralston
- **Committee Action:** Do Pass by Committee Substitute

**HB1313 Eminent domain; comprehensive revision of provisions; provide**

- This bill provides that the exercise of the power of eminent domain for redevelopment purposes must be by vote of an elected governing body of a county or municipality, not an unelected authority. House Authorities and Downtown Development authorities may not directly condemn property. HB 1313 would not allow property to be condemned for redevelopment purposes except to eliminate blight as that term is defined by general law, and it provides that before any condemnation for redevelopment can occur, a court must decide that each parcel of property sought to be condemned as "blighted property" is actually blighted. The bill defines "blight," "economic development," and "public use." HB 1313 provides for additional notice requirements before a resolution to condemn property is passed, and allows only the condemnee to obtain attorneys' fees and only in cases where the government ultimately cannot condemn the property.

- **Authored By:** Rep. Rich Golick
- **Committee Action:** Do Pass by Committee Substitute

**HB1395 Alapaha Judicial Circuit; term of court; change**

- No Summary Available
- **Authored By:** Rep. Jay Shaw
- **Committee Action:** Do Pass

**HB1419 Patient's complaint; notice of investigation; provide**

- No Summary Available
- **Authored By:** Rep. Mike Keown
- **Committee Action:** Do Pass

**HB1423 Gwinnett County; superior court; change terms**

- No Summary Available
- **Authored By:** Rep. Clay Cox
- **Committee Action:** Do Pass

**HB1496 Waycross Judicial Circuit; term of court; change**

- No Summary Available
- **Authored By:** Rep. Mark Hatfield
- **Committee Action:** Do Pass

**Judiciary (Non-Civil)**

**HB0243 Feticide; redefine manslaughter, assault, battery; define unborn child**

- This bill revises the definition of feticide to prohibit the voluntary manslaughter of an unborn child, and to prohibit assaults and batteries of unborn children under certain circumstances. The assault and battery of an unborn child would be punished as a misdemeanor, the crime of voluntary manslaughter of an unborn child would be punished as a felony with a prison sentence of 1-20 years. The bill further amends Article 15 of Chapter 6 of Title 40 of the O.C.G.A., related to serious traffic offenses, by removing the requirement that an unborn child be quick in the definition of feticide by vehicle, and the bill amends Article 1 of Chapter 7 of Title 52 of the O.C.G.A., regarding watercraft to remove the requirement that an unborn child be quick in the definition of feticide by vessel
- **Authored By:** Rep. Sue Burmeister
- **Committee Action:** Do Pass by Committee Substitute

**HB0888 Abortion; facilities; certain medical equipment; certain procedures; requirements**

- This bill would be known as the "Full Disclosure Ultrasound Act." It would require facilities that perform abortions either to have or to have access to ultrasound equipment. The bill further would require facilities that perform abortions to perform an ultrasound of the unborn child and provide women seeking abortions the opportunity to see the ultrasound. The bill also would require DHR to create a form indicating that opportunity to see the ultrasound was available. Violation of the act would be punished as a misdemeanor.

- **Authored By:** Rep. James Mills

- **Committee Action:** Do Pass by Committee Substitute

**HB1290 Telephone service provider; customer records; prohibit sale or transfer**

- This bill prohibits the sale or fraudulent transfer or use of the records of a customer of a telephone service provider with the exemption of law enforcement agencies engaged in their lawful duties. The bill also punishes the sale or fraudulent transfer or use of such records with a fine of not more than \$250,000.00 or up to ten years imprisonment or both

- **Authored By:** Rep. Cecily Hill

- **Committee Action:** Do Pass by Committee Substitute

**HB1302 Georgia Street Gang Terrorism and Prevention Act; change certain provisions**

- Bill amends 16-15-3 so as to define criminal gang activity as the commission or solicitation of another person to commit racketeering, stalking, aggravated sodomy, statutory rape, aggravated sexual battery, confinement, use of dangerous instrumentalities, violation of security of correctional facilities, encouraging a child to escape custody, creating any form of graffiti, and committing a violation any other U.S. law. Provides that any person who violates said code section will face 5 to 15 years in jail and/or a fine of \$10,000.00 to \$15,000.00.

Provides that any individual who fails to check in at designated location at a school and does not leave upon request of the principal or designee will be in violation of a misdemeanor.

- **Authored By:** Rep. David Casas

- **Committee Action:** Do Pass by Committee Substitute

**HB1335 Law enforcement officer; hiring; first offender record; review**

- Would permit law enforcement units to review first offender record information when hiring a law enforcement officer, and would permit consideration of first offender treatment when considering employment of a law enforcement officer.

- **Authored By:** Rep. Burke Day

- **Committee Action:** Do Pass by Committee Substitute

**HB1342 Nonprofit organizations; noncash prizes; provisions**

- Excludes non-profit give-away prizes that cannot be exchanged for cash from the definition of lottery. Allows non-profits to give away non-cash prizes. Winners will not be required to pay to be eligible, make a purchase or be present to win.

- **Authored By:** Rep. Harry Geisinger

- **Committee Action:** Do Pass

**HB1389 Identity theft; security freeze on credit report; provisions**

- Bill allows for victims of identity theft to place a freeze on their credit report by making a written request to a consumer credit reporting agency. Said freeze must occur at least 5 business days following receipt of said written request. If any changes are made to an individuals' credit report during this freeze, they must first be notified by the consumer credit reporting agency

- **Authored By:** Rep. Tommy Benton

- **Committee Action:** Do Pass by Committee Substitute

**HB1417 Administrative Office of the Courts; assist board of jury**

**commissioners; allow**

- This bill would allow the Administrative Office of the Courts to assist the board of jury commissioners in compiling, maintaining, and revising the lists of trial jurors and grand jurors. The bill would also amend Code Section 40-5-2 to provide for a cross-reference to the Administrative Office of the Courts receiving certain information.

- **Authored By:** Rep. David Ralston

- **Committee Action:** Do Pass by Committee Substitute

**HB1418 Georgia Methamphetamine Offender Registry; establish**

- Establishes the Georgia Methamphetamine Offender Registry for the registration of people convicted of certain crimes related to methamphetamine

- **Authored By:** Rep. Mike Coan

- **Committee Action:** Do Pass by Committee Substitute

**HB1421 Demand for trial; defendant present in court; require**

- Bill requires that a demand for trial be a separate and distinct document filed with the court and that the demand be sent to the prosecutor and judge in said case. Further provides that a defendant must be present in court to announce a demand for trial upon indictment.

- **Authored By:** Rep. Barry Fleming

- **Committee Action:** Do Pass

**HB1436 Wine; restaurant patrons; resealed partially consumed bottle; authorize**

- Bill allows a resealed bottle of wine, when purchased with a full course meal, to be transported by a patron out of the establishment in which said bottle was purchased. If transported in a vehicle, said bottle must be put in a locked glove compartment, trunk, or the last upright seat in the vehicle, if a glove compartment or trunk is not available.

- **Authored By:** Rep. Bob Smith

- **Committee Action:** Do Pass by Committee Substitute

**HB1497 Vicious dogs; requirements for owners; provide**

- This bill creates "Mercedes' Law" to provide for the proper enclosure of vicious dogs and to provide procedures by which law enforcement can be made aware of the presence of vicious dogs in the community. The bill would make it unlawful for an owner of a vicious dog to allow the dog to be outside a proper enclosure unless the dog is on a leash and under the restraint of a responsible person. The bill would allow a vicious dog to be confiscated if the dog is not properly maintained or restrained by a responsible person. Once the dog is confiscated his return to his owner is contingent upon the owner's compliance with the provisions created by the bill. If the dog is not returned to his or her owner within four days the dog would be destroyed.

- **Authored By:** Rep. David Knight

- **Committee Action:** Do Pass by Committee Substitute

## **Public Utilities & Telecommunications**

**HB0738 Telephone and telegraph service; Joint Study Committee; reconstitute**

- This bill will require providers of 'non-contract prepaid wireless service' to collect a wireless 911 fee in the amount of \$1.00 for each 100 minutes of air time purchased. The provider will remit those fees to the state to be deposited in the general fund of the state treasury. Code Section 45-5-139, relating to the Joint study committee on Wireless Enhanced "911" Charges is stricken and a new section inserted to describe the makeup, timeline, and responsibilities of the study committee.

- **Authored By:** Rep. John Lunsford

- **Committee Action:** Do Pass



**HB1546 Licensed soil scientists; evaluations and reports; provisions**

- This bill relates to soil testing for septic systems, and responsible parties. As there is often confusion among engineers, soil scientists, and geologists, Rep. Lunsford's legislation offers that if one of the above parties claims to be in charge of soil testing at a particular site, the state will honor that claim as long as said party agrees to sign an affidavit stating that, should the project (septic system) fail within the first 3 years after installation, the party "in charge" will take financial responsibility. This is a clause added to the legislation to protect the homeowner.

- **Authored By:** Rep. John Lunsford

- **Committee Action:** Do Pass by Committee Substitute

**HB1547 Solid waste management; permits; change certain provisions**

- This bill will amend part 1 of 12.8.2 of the O.C.G.A. by striking subsection (c) and inserting in lieu thereof: (c) Any permit for the transportation of municipal solid waste from a jurisdiction generating solid waste to a solid waste facility located in another county will be conditioned upon the jurisdiction generating solid waste developing and being actively involved in a strategy for meeting the state-wide goal of waste reduction.

- **Authored By:** Rep. John Lunsford

- **Committee Action:** Do Pass

**HB1060 "Wireless Communications Security Act"; enact**

- This bill will enact the "Wireless Communications Security Act." The Act will state that any person who markets or sells prepaid wireless communication devices shall not sell more than 10 devices to any customer without obtaining valid identification from that customer.

Valid identification includes:

- Driver's License issued by the appropriate agency of a state or the District of Columbia;

- Valid ID card issued by a branch, department, agency, or entity of the State of Georgia, other state, or the US;

- A valid US passport;

- A valid employee identification card with photograph of the person;

- A valid US military identification card with photograph; or

- A valid tribal identification card containing photograph.

Marketers or sellers of prepaid wireless communication devices shall keep records of each sale for no less than three years. Records will be provided to the GBI in such manner as required by the GBI by rule or regulation. This Act will be effective upon its approval of the Governor or upon its becoming law without such approval.

- **Authored By:** Rep. Chuck Martin

- **Committee Action:** Do Pass by Committee Substitute

**HR1604 Environmental Protection Division; electric generation peaking facilities; urge**

- Resolution urging the Environmental Protection Division of the Georgia DNR to allow electric generation peaking facilities, which have the capability to fire natural gas or fuel oil and the flexibility to use either fuel throughout the year, assuring the state will benefit from the operation of these facilities when natural gas supplies have been interrupted or are otherwise highly volatile; and for other purposes.

- **Authored By:** Rep. Jeff Lewis

- **Committee Action:** Do Pass

**HR1635 Southern States Energy Board; natural gas; coastal areas; urge**

- A RESOLUTION requesting the Southern States Energy Board to inventory and study the possibility of exploring for natural gas in the coastal areas of Georgia; and for other purposes.

- **Authored By:** Rep. Harry Geisinger

- **Committee Action:** Do Pass

**HR1636 Offshore oil and gas drilling; remove moratorium; urge Congress and President**

- A RESOLUTION urging Congress and the President to remove the moratorium on offshore oil and gas drilling; and for other purposes.
- **Authored By:** Rep. Harry Geisinger
- **Committee Action:** Do Pass

**Retirement**

**HB0731 Judicial Retirement; juvenile court judge; creditable service**

- Bill provides that any person who was serving as a juvenile court judge on July 1, 2006 and who was not a member of any state or local retirement system may become a member of the Judicial System; The decision to join the system is irrevocable and must be made in writing to the board not later than December 31, 2006; Persons making this election may obtain up to five years of creditable service for prior service as a juvenile court judge by paying the full actuarial cost; No service may be used towards credit in any other state or local retirement systems.
- **Authored By:** Rep. Ron Borders
- **Committee Action:** Do Pass

**State Institutions & Property**

**HR1080 House State-Local Shared Usage of Government Facilities Study Committee; create**

- This resolution creates a study committee to be composed of five members of the House of Representatives appointed by the Speaker. They will discover the potential for greater cost-effective use of publicly owned facilities by providing political subdivisions to share usage of certain facilities owned by the State of Georgia. These facilities would include University of Georgia and the Department of Technical and Adult Education.
- **Authored By:** Rep. Bob Smith
- **Committee Action:** Do Pass

**HR1492 House Study Committee on State Parole & Probation Officer Salaries and Benefits; create**

- This resolution creates the House Study Committee on State Parole and Probation Officer salaries and benefits. The Speaker of the House will appoint 5 House members and designate a member of the committee as chairperson. The committee will study the conditions, needs, issues and problems mentioned above and recommend action or legislation which the committee deems necessary or appropriate. This committee will report the findings and recommendations with suggestions for proposed legislation (if any) on or before December 31, 2006 at which time the committee will be abolished.
- **Authored By:** Rep. Gail Buckner
- **Committee Action:** Do Pass

**Transportation**

**HB0715 Railroad crossings used by school buses; upgrade protective devices**

- This bill will call for local school districts to provide the Department of Transportation with information about rail crossings without active warning devices that are used by school buses. Should school bus routes include such crossings which lack lights, gates, and warning bells, the school district will be responsible for submitting annual lists to the DOT identifying such crossings no later than September 1. School districts should make the best efforts to minimize the number of established school bus routes

that cross rail crossings that lack these active warning devices. This information will be used by the department as a factor in selecting rail crossings to upgrade. This Act will go into effect on January 1, 2007.

- **Authored By:** Rep. Sheila Jones
- **Committee Action:** Do Pass by Committee Substitute

**HR1109 Samuel Ernest Vandiver, Jr. Interchange; dedicate**

- A Resolution to name an intersection after Governor Earnest Vandiver.
- **Authored By:** Rep. Jeanette Jamieson
- **Committee Action:** Do Pass

**HR1548 Chambers Crossing; dedicate**

- Commemorating the accomplishments of Mrs. Ida Chambers and dedicating Chambers Crossing; and for other purposes. Two road naming resolutions combined into one sub. Included are HR 1548 and HR 1337.
- **Authored By:** Rep. Ed Rynders
- **Committee Action:** Do Pass by Committee Substitute

## **Ways & Means**

**HB0111 Sales and use tax; change certain definitions**

- This bill removes a prime or general contractor's requirement to withhold retain age (2% of the contract amount on contracts in excess of \$250,000) or the requirement for a bond for sales and use tax purposes on resident subcontractors. Resident subcontractors primarily purchase items from Georgia suppliers that impose the proper sales tax at the time of purchase. It also significantly reduces the work required on general and prime contractors and the Department of Revenue. It further removes a burdensome process from the contracting industry for resident subcontractors and serves to improve the efficiency of the Department of Revenue by reducing the cost to administer this statute. The requirement for a general or prime contractor to withhold retainage or require a bond on nonresident contractors is not being changed. Nonresident contractors bring items and machinery into Georgia that may result in a use tax liability. In the event the nonresident contractor does not properly file and remit Georgia use tax on those purchases, the retainage is applied to the subcontractor's tax liability. This bill further establishes a statutory definition of nonresident subcontractor that clarifies that a subcontractor with a permanent place of business in Georgia is considered a resident contractor.
- **Authored By:** Rep. Larry O'Neal
- **Committee Action:** Do Pass by Committee Substitute

**HB0429 Setoff debt collection; claimant agencies; include public housing authorities**

- This bill includes public housing authorities in the definition of "claimant agency." This inclusion will allow for a setoff of certain debts owed to public housing authorities.
- **Authored By:** Rep. Tommy Smith
- **Committee Action:** Do Pass by Committee Substitute

**HB0848 Homestead exemption; senior citizens; actual levy amount**

- This bill provides for a state homestead exemption on the primary residence with up to ten contiguous acres for residents 65 and over. This exemption will be renewed annually and shall not apply to county, municipal, or school district taxes. This exemption shall be in addition to and not in lieu of any other homestead exemption from state taxes.
- **Authored By:** Rep. Mark Butler
- **Committee Action:** Do Pass

**HB1144 Private enterprise agreement; housing authorities; redefine**

- This bill expands the scope of abilities of public housing authorities to contract with private parties to

provide low income housing. It allows housing authority ownership of an interest in a housing project through a for profit entity, housing authority ownership of housing project land, and housing authority funding for a portion of construction and operating costs of a housing project through a profit entity.

- **Authored By:** Rep. Jill Chambers

- **Committee Action:** Do Pass

#### **HB1160 Taxable net income; certain companies; provide adjustments**

- The purpose of this bill is to allow for a Georgia individual resident who is a partner in a partnership, or a member of an LLC taxed as a partnership, or a single member of an LLC, which is disregarded for federal income tax purposes, to make adjustments to the federal adjusted gross income for the entity's income taxed in another state which imposes on the entity a tax on or measured by income.

Adjustments are only allowed for the portion of the income on which the tax was actually paid by such entity. In a multi-tiered situation, the adjustment shall be determined by allocating the income between the shareholders, partners, and members at each tier based upon their profit/loss percentage. This bill applies to all taxable years beginning on or after January 1, 2006.

- **Authored By:** Rep. David Knight

- **Committee Action:** Do Pass by Committee Substitute

#### **HB1244 Motor fuel; public mass transit; change certain provisions**

- This bill provides for an exemption on motor fuel sales by bulk distributors to public transportation systems from July 1, 2006 through June 30, 2008. Such systems include those that are eligible to receive funds pursuant to 49 U.S.C. 5307 and 5311. Current law offers the exemption on buses owned by state and local governments or an entity created by general or local law, however, this bill extends the exemption to vehicles owned by public transportation systems which includes vans, minibuses or other vehicles that have the capacity to transport seven or more passengers.

- **Authored By:** Rep. Martin Scott

- **Committee Action:** Do Pass by Committee Substitute

#### **HB1403 Sales and use tax; certifying additional municipalities; change provisions**

- This bill redefines "new qualified municipality" to mean a municipal corporation that has increased its population by more than 15% through one or more annexation since the most recently filed certificate and is located in the same county as the qualified municipality. Such municipality will receive a total allocation of the local option sales tax proceeds equal on a per capita basis to the average per capita allocation to the other qualified municipalities in the county.

- **Authored By:** Rep. Chuck Martin

- **Committee Action:** Do Pass by Committee Substitute

#### **HB1452 Property tax exemptions; applicant; change definition**

- This bill changes the definition of the term 'applicant' in regard to those persons who may qualify for a homestead exemption. Further, the bill authorizes the Department of Revenue Commissioner to promulgate rules and regulations for establishing property identification requirement for applicants.

- **Authored By:** Rep. Barry Loudermilk

- **Committee Action:** Do Pass by Committee Substitute

#### **HB1495 Bonds; reporting requirements; change certain provisions**

- This bill provides for additional requirements on the bond reports that are filed with the Department of Community Affairs. In addition to the existing requirements, reports must also include the category of the bond and the proceeds used for bond issuance costs, including underwriters' discount.

- **Authored By:** Rep. Calvin Hill

- **Committee Action:** Do Pass

#### **HB1502 State revenue commissioner; property appraisal and assessment; provide**

- This bill authorizes the DOR commissioner to prescribe soil maps and other sources for documenting the eligibility as a bona fide conservation use property. Further the commissioner may also provide advance notice to taxpayers on changes which result in a breach of a covenant. Members of the county board of tax assessors are now required to complete 40 hours of training prior to or within 180 days of appointment to that board. Current law required the training to be completed within one year of the appointment. Further the commissioner is authorized to specify qualification requirements for certification. The county governing authority is required to transmit a copy of the appointment resolution to the board of assessors setting the length of terms within 10 days after the resolution is adopted. Reappointment to the board is subject to education and certification completion and no member who fails to meet the requirements shall be eligible for reappointment until all the requirements have been met.

- **Authored By:** Rep. Richard Royal

- **Committee Action:** Do Pass

**HB1506      Businesses; revocation of certificate of registration; prohibit certain sales**

- This bill increases the penalty for dealers who knowingly and willfully fail to collect sales tax, falsify returns, furnish a supplemental return, or fails to open records to inspection, from a fine of \$100 and imprisonment of up to three months, to a fine of \$5000 and imprisonment for up to a year. Further, a subsequent conviction will result in a fine of \$10,000 or imprisonment up to five years.

- **Authored By:** Rep. Richard Royal

- **Committee Action:** Do Pass by Committee Substitute